

Remarks

In the Office Action mailed October 21, the Applicant respectfully requests reconsideration. For further prosecution of this application, the Applicant submits the following remarks. The claims as presented are believed to be in allowable condition.

In the present application, claims 1, 10, 11, 24, 26, 27, 28, 29, 30, 31, 32, 45, 48, 51, 52, 58, 70, 73, and 77 have been amended. Claims 11, 24, 29, 48, 52, and 77 have been amended to correct various informalities noted in the Office Action. Claims 10, 24, 45, 26-31, 51, and 82 have been amended to address various rejections under 35 U.S.C. § 112 including insufficient antecedent basis. Claims 1, 24, 32, 45, 58, and 70 have been amended to clarify that media format access data comprises at least one codec which is used to access the content of the media files and media formats without associating the media formats with program modules stored on client and remote devices. Support for these amendments may be found on page 6, lines 2-23, page 15, lines 1-4, page 22, lines 17-19, and page 23, lines 14-19 of the Specification. No new matter has been added.

Claims 1-82 are currently pending in the application. Claims 11, 24, 29, 48, 52, 73, and 77 are objected to in the Office Action. Claims 10, 24, 45, 26-31, 51, 52, 53, and 82 are rejected under 35 U.S.C. § 112, second paragraph. Claims 1, 2, 5, 6, 10-23, 32, 33, 36, 38-40, 43-47, 52, 53, 57-59, 62, 64-66, 69-72, 77, 78, and 82 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kullick (U.S. Patent 5,732,275) in view of Windows Media Player 7 (“wmp7”). Claims 56 and 81 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kullick in view of wmp7. Claims 3, 41, 50, 67, and 75 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kullick in view of wmp7 and further in view of Fox et al (“Fox,” U.S. Patent 5,790,677). Claims 4, 24-25, 27, 28, 34, 35, 42, 54, 55, 60, 61, 68, 79, and 80 are rejected

under 35 U.S.C. § 103(a) as being unpatentable over Kullick in view of wmp7 and further in view of Menezes (“Menezes,” Handbook of Applied Cryptography). Claims 7, 8, 48, 51, 73, and 76 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kullick in view of wmp7 and further in view of Sakanishi (U.S. Patent 6,678,888). Claim 9 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Kullick in view of wmp7 and further in view of Capps et al. (“Capps”, US2002/0082730). Claims 29-31, 37, 49, 63, and 74 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kullick in view of wmp7 and further in view of Yale (US2002/0091764). Claim 26 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Kullick in view of wmp7, in further view of Menezes, and in further view of Fox.

Claim Objections

Claims 11, 24, 29, 48, 52, 73, and 77 are objected to because of various grammatical informalities. These claims have been amended in accordance with the Examiner’s instructions in the Office Action. Therefore, the objections of these claims should be withdrawn.

Claim Rejections - 35 U.S.C. §112

Claims 10, 24, 45, 26-31, 51, 52, 53, and 82 are rejected under 35 U.S.C. § 112, second paragraph. Claim 10 has been amended to refer to change “the remote server” to “the remote device” specified in claim 1. Claims 24 and 45 have been amended to change “all commercially available media formats” to “at least one commercially available media format.” Claims 26-31 have been amended to change “remote server” to the “system” referred to in claim 24. Claims 51 and 52 have been amended so that it now depends from claim 48 which specifies “uploading status data.” Claim 53 depends from amended claim 52 and thus did not need to be amended. Claim 82 has been amended so that it now depends from claim 70 which specifies “downloading media format access data to a client device.” Based on the aforementioned amendments, it is

respectfully submitted that the rejections of claims 10, 24, 45, 26-31, 51, 52, 53, and 82 are rejected under 35 U.S.C. § 112, second paragraph should be withdrawn.

Claim Rejections - 35 U.S.C. §103

Claims 1, 2, 5, 6, 10-23, 32, 33, 36, 38-40, 43-47, 52, 53, 57-59, 62, 64-66, 69-72, 77, 78, and 82 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kullick in view of Windows Media Player 7 (“wmp7”). The rejections of these claims are respectfully traversed.

Amended independent claim 1 specifies a system for accessing the content of various types of media files using a single interface. The system includes a client receiver for receiving remote data from a remote device, where the remote data includes remote program modules and remote media format access data that corresponds to a set of remote media formats, a client storage unit for storing client data, the client data further comprising: a roster of client media formats that are accessible by the system, a set of client media format access data, and a set of client program modules, wherein received remote media format access data is stored as client media format access data, and received remote program modules are stored as client program modules. The system further includes a client transmitter for transmitting client data to the remote device, wherein client data sent by the transmitter to the remote device includes status information that indicates the status of the client data and a client processor for executing any of the set of client program modules and for using the client media format access data to access the content of media files, wherein the set of client media format access data comprises at least one codec and wherein the at least one codec is used to access the content of the media files without associating the client media formats with the client program modules.

It is respectfully submitted that neither Kullick nor wmp7, alone or in combination, teaches, suggests, or discloses each of the aforementioned features of amended independent

claim 1. For example, Kullick fails to disclose a single interface, a set of media formats, a set of program modules, and a set of client media format access data comprising at least one codec which is used to access the content of media files without associating client media formats with client program modules. Kullick merely discloses a method and apparatus for managing and automatically updating software programs. As disclosed in Kullick, a control module performs the functions of locating and identifying other versions of a program of interest, determines whether other versions are newer than currently stored versions, and downloads a newer version. See Col. 2, lines 29-52. Thus, Kullick fails to disclose each of the features specified in amended independent claim 1.

Windows Media Player 7 (“wmp7”) discloses an interface (Fig. 1) generated by a program module for playing back media files. The interface includes an Options dialog (Fig. 2) for updating the wmp7 program module and for downloading codecs. The Options dialog (Fig. 4) also requires that the wmp7 program module be manually associated with different media file formats to access the content of media files associated with these formats so that they may be played to a user in the wmp7 program module. In contrast, amended independent claim 1 specifies a set of client media format access data comprising at least one codec which is used to access the content of media files without manually associating client media formats with client program modules. Thus, wmp7, like Kullick, also fails to disclose each of the features specified in amended independent claim 1. Accordingly, amended independent claim 1 is allowable and the rejection of claim 1 should be withdrawn.

Claims 2, 5, 6, and 10-23 depend from amended independent claim 1 and are thus allowable for at least the same reasons discussed above with respect to claim 1 including the additional features specified therein. For example, claim 2 specifies a client receiver for

receiving remote data from a remote device when the system encounters a media file that has a media format that is not present in the roster of client media formats, and where the remote data includes remote media format access data that enables the system to access the content of the encountered media file. Neither Kullick nor wmp7, discussed above, teaches, suggests, or discloses the features specified in claim 2. Accordingly, the rejections of claims 2, 5, 6, and 10-23 should also be withdrawn.

Amended independent claim 32 is directed to similar novel features as amended independent claim 1 and is thus allowable for at least the same reasons discussed above with respect to claim 1. For example, amended independent claim 32 specifies a set of client media format access data comprising at least one codec which is used to access the content of the media files without associating client media formats with the client program modules. As discussed above, neither Kullick nor wmp7 teaches, discloses, or suggests these features. Accordingly, the rejection of claim 32 should be withdrawn. Claims 33, 36, 38-40, and 43-44 depend from amended independent claim 32 and are thus allowable for at least the same reasons discussed above with respect to claim 32 including the additional features specified therein. For example, claims 43 and 44 specify that storing the members of the set of remote media format access data includes deleting corresponding members of the set of client media format access data previously stored on the client device. Neither Kullick nor wmp7, discussed above, teaches, suggests, or discloses the features specified in claims 43 and 44. Accordingly, the rejections of claims 33, 36, 38-40, and 43-44 should also be withdrawn.

Amended independent claim 45 is directed to similar novel features as amended independent claims 1 and 32 and is thus allowable for at least the same reasons discussed above with respect to these claims. For example, amended independent claim 45 specifies media

format access data comprising at least one codec which is used to access the content of at least one commercially available media format without associating the at least one commercially available media format with a program module running on the client device. As discussed above, neither Kullick nor wmp7 teaches, discloses, or suggests these features. Accordingly, the rejection of claim 45 should be withdrawn. Claims 46-47, 52, 53, and 57-59 depend from amended independent claim 45 and are thus allowable for at least the same reasons discussed above with respect to claim 45 including the additional features specified therein. Accordingly, the rejections of claims 46-47, 52, 53, and 57-59 should also be withdrawn.

Amended independent claim 58 is directed to similar novel features as amended independent claims 1, 32, and 45 and is thus allowable for at least the same reasons discussed above with respect to these claims. For example, amended independent claim 58 specifies a set of client media format access data comprising at least one codec which is used to access the content of the media files without associating client media formats with the client program modules. As discussed above, neither Kullick nor wmp7 teaches, discloses, or suggests these features. Accordingly, the rejection of claim 32 should be withdrawn. Claims 59, 62, 64-66, and 69 depend from amended independent claim 58 and are thus allowable for at least the same reasons discussed above with respect to claim 58 including the additional features specified therein. For example, claim 69 specifies that storing the members of the set of remote media format access data includes deleting corresponding members of the set of client media format access data previously stored on the client device and storing the members of the set of remote program modules further includes deleting corresponding members of the set of client program modules previously stored on the client device.. Neither Kullick nor wmp7, discussed above,

teaches, suggests, or discloses the features specified in claim 69. Accordingly, the rejections of claims 59, 62, 64-66, and 69 should also be withdrawn.

Amended independent claim 70 is directed to similar novel features as amended independent claims 1, 32, 45, and 58 and is thus allowable for at least the same reasons discussed above with respect to these claims. For example, amended independent claim 70 specifies media format access data including at least one codec which is used to access the content of at least one commercially available media format without associating the at least one commercially available media format with a program module running on the client device. As discussed above, neither Kullick nor wmp7 teaches, discloses, or suggests these features. Accordingly, the rejection of claim 70 should be withdrawn. Claims 71-72, 77, 78, and 82 depend from amended independent claim 70 and are thus allowable for at least the same reasons discussed above with respect to claim 70 including the additional features specified therein. Accordingly, the rejections of claims 71-72, 77, 78, and 82 should also be withdrawn.

In the Office Action, claims 56 and 81 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kullick in view of wmp7. Claims 56 and 81 depend from amended independent claims 45 and 70 respectively and thus are allowable for at least the same reasons discussed above with respect to claims 45 and 70. Accordingly, the rejections of claims 56 and 81 should be withdrawn.

In the Office Action, claims 3, 41, 50, 67, and 75 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kullick in view of wmp7 and further in view of Fox. Claim 3 depends from amended independent claim 1, claim 41 depends from amended independent claim 32, claim 50 depends from amended independent claim 45, claim 67 depends from amended independent claim 58, and claim 75 depends from amended independent claim 70. Thus, claims

3, 41, 50, 67, and 75 disclose at least the same features as their corresponding independent claims. As noted above, neither Kullick nor wmp7 teaches, discloses, or suggests each of the features specified in amended independent claims 1, 32, 45, 58, and 70. Fox, relied upon to cure the deficiencies of Kullick and wmp7, merely discloses a system for secure electronic commerce transactions. Thus, Fox also fails to disclose several of the features specified in amended independent claims 1, 32, 45, 58, and 70 discussed above. Accordingly, claims 3, 41, 50, 67, and 75 are allowable for the reasons given above for amended independent claims 1, 32, 45, 58, and 70. Therefore, the rejections of these claims should be withdrawn.

In the Office Action claims 4, 24-25, 27, 28, 34, 35, 42, 54, 55, 60, 61, 68, 79, and 80 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kullick in view of wmp7 and further in view of Menezes. Amended independent claim 24 specifies a system for maintaining and distributing media formats, including a remote media format controller for compiling remote media format access data usable for accessing the content of a set of remote media formats, and for updating the remote media format access data, a remote program module controller for compiling and updating a set of remote program modules, a remote storage unit for storing the remote media format access data and the set of remote program modules, a remote encrypter for encrypting the remote media format access data and the remote program modules, and a remote transmitter for transmitting remote media format access data and remote program modules to at least one client device that is connected to the communications network. The set of remote media formats includes at least one commercially available media format and the set of remote media format access data includes at least one codec used to access the content of media files without associating the remote media formats with the remote program modules.

As discussed above with respect to amended independent claims 1, 32, 45, 58, and 70, which disclose similar features as amended independent claim 24, neither Kullick nor wmp7 teaches, discloses, or suggests a set of media formats including at least one commercially available media format where a set of media format access data includes at least one codec used to access the content of media files without associating the media formats with program modules. Menezes, relied upon to cure the deficiencies of Kullick and wmp7, is a reference for describing encryption and decryption functions used in cryptography (Page 26). Thus, Menezes also fails to disclose several of the features specified in amended independent claim 24 including the use of a codec to access the content of media files without associating remote media formats with remote program modules. Thus, since neither Kullick, wmp7, nor Menezes, disclose each of the features of amended independent claim 24, this claim is allowable and the rejection of this claim should be withdrawn. Claims 25, 27, 28 depend from amended independent claim 24 and thus are allowable for at least the same reasons discussed above with respect to claim 24 including the additional features specified therein. Accordingly, the rejections of claims 25, 27, and 28 should be withdrawn.

Claim 4 depends from amended independent claim 1, claims 34, 35, and 42 depend from amended independent claim 32, claims 54 and 55 depend from amended independent claim 45, claims 60, 61, and 68 depend from amended independent claim 58, and claims 79-80 depend from amended independent claim 70. Thus, claims 4, 34, 35, 42, 54, 55, 60, 61, 68, 79, and 80 disclose at least the same features as their corresponding independent claims. As discussed above, neither Kullick, wmp7, nor Menezes discloses each of the features specified in amended independent claims 1, 32, 45, 58, and 70. Therefore claims 4, 34, 35, 42, 54, 55, 60, 61, 68, 79, and 80 are allowable and the rejections of these claims should be withdrawn.

In the Office Action claims 7, 8, 48, 51, 73, and 76 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kullick in view of wmp7 and further in view of Sakanishi. Claims 7 and 8 depend from amended independent claim 1, claims 48 and 51 depend from amended independent claim 45, and claims 73 and 76 depend from amended independent claim 70. Thus, claims 7, 8, 48, 51, 73, and 76 disclose at least the same features as their corresponding independent claims. As noted above, neither Kullick nor wmp7 teaches, discloses, or suggests each of the features specified in amended independent claims 1, 45, and 70. Sakanishi, relied upon to cure the deficiencies of Kullick and wmp7, merely discloses a method and system for distributing software. Thus, Sakanishi also fails to disclose several of the features specified in amended independent claims 1, 45, and 70 discussed above. Accordingly, claims 7, 8, 48, 51, 73, and 76 are allowable for at least the reasons given above for amended independent claims 1, 45, and 70. Therefore, the rejections of these claims should be withdrawn.

In the Office Action, claim 9 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Kullick in view of wmp7 and further in view of Capps et al. (“Capps”, US2002/0082730). Claim 9 depends from amended independent claim 1 and thus specifies at least the same features as claim 1. As noted above, neither Kullick nor wmp7 teaches, discloses, or suggests each of the features specified in amended independent claim 1. Capps, relied upon to cure the deficiencies of Kullick and wmp7, discloses a universal media player which may be embedded within an Internet browser. In accordance with the present invention a computer-implementable method of playing media designed for playing on various types of media players is provided. The method includes providing a universal media player that includes an interface with user-actuable control buttons, determining whether media to be downloaded associated with a dedicated media player is playable by the universal media player, and if the media to be downloaded associated with a

dedicated media player is playable by the universal media player, intercepting the media as the media is downloaded and redirecting the media to the universal media player. A media type table of MIME is searched to determine whether the media to be downloaded associated with a dedicated media player is or is not playable by the universal media player. In response to a request to change a media source, the universal media player determines the MIME type of the new media and instantiates a media component object for the media. When the instantiated media component object is ready, a second media player is initialized, the first media player is stopped and hidden, and the second media player is displayed. See Paragraphs 0006-0009. Caps, however fails to disclose a set of client media format access data comprising at least one codec which is used to access the content of media files without associating client media formats with client program modules as specified in amended independent claim 1. Accordingly, claim 9 is allowable for at least the reasons given above for amended independent claim 1 and the rejection of this claim should be withdrawn.

Claims 29-31, 37, 49, 63, and 74 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kullick in view of wmp7 and further in view of Yale. Claims 29-31 depend from amended independent claim 24, claim 37 depends from amended independent claim 32, claim 49 depends from amended independent claim 45, claim 63 depends from amended independent claim 58, and claim 74 depends from amended independent claim 70. Thus, claims 29-31, 37, 49, 63, and 74 disclose at least the same features as their corresponding independent claims. As noted above, neither Kullick nor wmp7 teaches, discloses, or suggests each of the features specified in amended independent claims 24, 32, 45, 58, and 70. Yale, relied upon to cure the deficiencies of Kullick and wmp7, discloses a system and method for providing multimedia content to a user on a user computer over a network. The method comprises

associating the multimedia content with a directory entry using an icon corresponding to the directory entry, where the directory entry is to be included in a plurality of directories that are accessible over the network, and displaying the directory entry and the icon on the user computer when accessing one of the plurality of directories over the network. The method further comprises determining if the user has indicated a preferred file format, and if not, requesting that the user indicate the preferred file format. The method also comprises providing the multimedia content on the user computer in response to the user selecting the icon, the multimedia content to be provided to the user in the preferred file format. See Paragraph 0008.

Yale however fails to disclose a set of media format access data comprising at least one codec which is used to access the content of media files without associating media formats with program modules as specified in amended independent claims 24, 32, 45, 58, and 70. Accordingly, claims 29-31, 37, 49, 63, and 74 are allowable for at least the reasons given above for amended independent claims 24, 32, 45, 58, and 70. Therefore, the rejection of claims 29-31, 37, 49, 63, and 74 should be withdrawn.

In the Office claim 26 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Kullick in view of wmp7, in further view of Menezes, and in further view of Fox. Claim 26 depends from amended independent claim 24 and thus specifies at least the same features as claim 24. As noted above, neither Kullick, wmp7, Menezes, nor Fox teaches, discloses, or suggests a set of remote media format access data including at least one codec used to access the content of media files without associating the remote media formats with the remote program modules, as specified in amended independent claim 24. Accordingly, claim 26 is allowable for at least the reasons given above for amended independent claim 24 and the rejection of this claim should be withdrawn.

Conclusion

In view of the foregoing amendments and remarks, this application is now in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is invited to call the Applicant's attorney at the number listed below.

Respectfully submitted,

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